

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MALIK GARRETT,

Defendant.

CASE NO. CR21-0121-JCC

ORDER

This matter comes before the Court on Defendant's unopposed motion to continue trial (Dkt. No. 39). Having thoroughly considered the relevant record, and for the reasons described below, the Court hereby GRANTS the motion.

Trial is currently set for June 27, 2022. (Dkt. No. 36.) Defendant moves to continue trial to September 26, 2022. (Dkt. No. 39 at 1.) According to his motion, Defendant requires additional time for counsel to review and investigate discovery and discuss the factual and legal issues presented with Defendant. (*Id.*) Based on the foregoing, the Court FINDS that the ends of justice served by granting the requested continuance outweigh the best interests of Defendant and the public to a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A). This finding is based on the following:

1. A failure to grant a continuance in this case would likely result in a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i);

1 2. Taking into account the exercise of due diligence, a failure to grant a continuance
2 in this case would deny Defendant's counsel the reasonable time necessary for effective
3 preparation due to counsel's need for adequate time to review the evidence, consider possible
4 defenses, and gather evidence material to the defense, as set forth in § 3161(h)(7)(B)(iv); and

5 3. The additional time requested is a reasonable period of delay.

6 It is therefore ORDERED as follows:

7 1. The motion for a continuance (Dkt. No. 39) is GRANTED.

8 2. The June 27, 2022 trial is CONTINUED to September 26, 2022; pretrial motions
9 will be due August 29, 2022. The parties should consult the Court's Chambers Procedures posted
10 on its website for detailed instructions regarding pretrial submissions and trial procedure.

11 3. The time from the date of this order until the September 26, 2022 trial date is an
12 excludable period under 18 U.S.C. § 3161(h)(7)(A).

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14 DATED this 25th day of May 2022.

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A handwritten signature in black ink, reading "John C. Coughenour", is written over a horizontal line.

John C. Coughenour
UNITED STATES DISTRICT JUDGE